

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**IN RE:  
LINDA SUSAN SMITH**

**Debtor**

) **CASE NO: 17-41398-659**  
) **Chapter 13**  
)  
) **Response Due: 04/21/2022**  
) **Hearing: 04/28/2022 11:00 am**  
) **Location: St. Louis, Room 7 North**

**NOTICE OF HEARING AND TRUSTEE'S MOTION TO DISMISS FOR LACK OF  
FEASIBILITY OF THE CHAPTER 13 PLAN**

**PLEASE TAKE NOTICE:** The Motion herein is scheduled for hearing at the date and time shown above.

**WARNING: THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY April 21, 2022. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.**

**COMES NOW** Diana S. Daugherty, Standing Chapter 13 Trustee in Bankruptcy, and for her Motion to Dismiss states as follows:

1. Debtor's plan will not pay secured creditors the fair market value of their collateral during the proposed plan term. 1325 (a)(5)(B)(ii)
2. Debtor's plan will not have enough funds to pay attorney fees.

**WHEREFORE** the Trustee prays the Court enter its order dismissing this Chapter 13 case.

Dated: April 01, 2022

MTDFEAS--LS

/s/ Diana S. Daugherty

Diana S. Daugherty  
Standing Chapter 13 Trustee  
P.O. Box 430908  
St. Louis, MO 63143  
(314) 781-8100 Fax: (314) 781-8881  
trust33@ch13stl.com

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing document was filed electronically on April 01, 2022, with the United States Bankruptcy Court, and has been served on the parties in interest via e-mail by the Court's CM/ECF System as listed on the Court's Electronic Mail Notice List.

I certify that a true and correct copy of the foregoing document was filed electronically with the United States Bankruptcy Court, and has been served by Regular United States Mail Service, first class, postage fully pre-paid, addressed to those parties listed on the Court's Manual Notice List and listed below on April 01, 2022.

LINDA SUSAN SMITH  
11406 GRANGER TRAILS  
FLORISSANT, MO 63033

/s/ Diana S. Daugherty

Diana S. Daugherty, Chapter 13 Trustee

## CREDITOR INFORMATION

CREDITOR	CLAIM AMOUNT	PRINCIPAL OWED
THE POWDERLY LAW FIRM LLC	\$1,560.00	\$0.00
LINDA SUSAN SMITH	\$0.00	\$0.00
THE POWDERLY LAW FIRM LLC	\$2,000.00	\$2,000.00
WILMINGTON TRUST	\$11,930.49	\$2,150.44
WILMINGTON TRUST	\$25.00	\$14.56